

Further submission on Proposed Change 2 (Natural Hazards) to the Bay of Plenty Regional Policy Statement

Clause 8 of Schedule 1, Resource Management Act 1991

Please send your further submission to be received by **Wednesday 28 January 2015**

Further Submission Number
Office use only

TO: The Chief Executive
Bay of Plenty of Regional Council
PO Box 364
Whakatāne 3158

FAX: 0800 884 882
EMAIL: LivingwithRisk@boprc.govt.nz

Name of person making further submission: Ford Land Holdings Pty Ltd _____

[Full name of the person or organisation making the submission]

This is a further submission in support of (or in opposition to) a submission on a change proposed to the following policy statement:

Bay of Plenty Regional Policy Statement: Proposed Change 2 (Natural Hazards).

I am *[state whether you are]* (please tick one)

- a person representing a relevant aspect of the public interest. (Specify the grounds for saying that you come within this category.)
- a person who has an interest in the proposal that is greater than the interest the general public has. (Explain the grounds for saying that you come within this category.)
- the local authority for the relevant area.

On the following grounds:

The Ford Land Holdings Pty Ltd interests are with regard to their ongoing response to the Western Bay of Plenty SmartGrowth Strategy and the Papamoa East Part 2 (Te Tumu) Growth Management Area as identified in the Regional Policy Statement. Proposed Change 2 (Natural Hazards) to the Bay of Plenty Regional Policy Statement applies to and will impact the Papamoa Part 2 (Te Tumu) Growth Management Area. _____

I wish ~~(or do not wish)~~ to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

[Delete if you would not consider presenting a joint case.]

Signature of person making further submission (or person authorised to sign on behalf of person or organisation making submission) *A signature is not required if you make your submission by electronic means.*



Address for service of person making further submission:

[Provide full postal details]:

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Jeff Fletcher

FURTHER SUBMISSION POINTS:

Name: Ford Land Holdings Pty Ltd

Further Submission Sheet: 1

Submission Number	Submitter Name and Address	Particular parts of original submission	Support/ Oppose	Reasons
2 - 3	Waikato Regional Council Private Bag 3038 Waikato Mail Centre HAMILTON 3240	Policies NH 1B and 2B	Oppose	Oppose the submitter's support of these Policies, to the extent that our original submissions seek amendments that clarify the potential for mitigation for a medium level risk and that the policy applies to resource consents.
2 - 5	Waikato Regional Council	Policy NH 3A	Support	River bank erosion is a hazard in the Bay of Plenty, particularly in the lower reaches of the Kaituna River.
2 - 6 & 2 - 7	Waikato Regional Council	Policy NH 4A	Support in part	We support the concept of identifying interactive and non-interactive hazards within the policy and Appendix K subject to our original submission on Policy NH 4A and achieving our original submission points on the application of Appendix K, particularly its lack of being adequately tested.
2 - 8	Waikato Regional Council	Appendix K	Support in part	We support the inclusion of lifeline utility consequence and corresponding risk (by loss of service) weighting in the Appendix methodology subject to achieving our original submission points on the application of Appendix K and Table 7 particularly its lack of being adequately tested and the weighting of the Table 7 consequences.
6 - 1	Sanctuary Point Investments Ltd C/- Boffa Miskell PO Box 13373 TAURANGA 3142	Policy NH 5B	Support in part	We support the request to make it clearer as to what scale of development the policy applies subject to our original submission seeking amendments to make the policy apply to developments over 5 hectares or in a non-complying activities or the susceptibility mapping requires further analysis.
6 - 2	Sanctuary Point Investments Ltd	Policy NH 7B	Support in part	We support the request to make it clearer as to what scale of development the policy applies, subject to our original submission.

Submission Number	Submitter Name and Address	Particular parts of original submission	Support/ Oppose	Reasons
6 - 3	Sanctuary Point Investments Ltd C/- Boffa Miskell PO Box 13373 TAURANGA 3142	Policy NH 9B	Support in part	Subject to our original submission on this Policy, we support the clarity sought by this submission.
7 - 4	Te Arawa ki Tai Trust 16 Arawa Avenue Maketu RD 9 TE PUKE 3189	Policy NH 9B	Support in part	We support a new method seeking to mitigate potential natural hazards by restoring coastal dunes, subject to the proposed new method being a 'guiding method'.
9 - 3	Taupo District Council Private Bag 2005 Taupo Mail Centre TAUPO 3352	Policy NH 5B and Appendix K	Support in part	Subject to our original submission on this Policy and our original submission points on Appendix K, we support the request to clarify the meaning of the term "significant consequence" in the policy by ensuring that it relates to the consequence levels in Table 7.
9 - 4	Taupo District Council	Policy NH 12C	Support	We support the clarification sought in this submission point with regard to District Council responsibilities.
13 - 2	Tauranga City Council Private Bag 12022 TAURANGA 3143	Policy NH2B	Support in part	We support the submitter's concerns raised in this submission, subject to our original submission seeking amendments to the Policy.
13 - 3	Tauranga City Council	Policy NH 4A	Support in part	We support the submitter's concerns raised in this submission, subject to our original submissions seeking amendments to the Policy and Appendix K.
13 - 5	Tauranga City Council	Policy NH 3A	Support	We support the request for " <i>A clear methodological framework is required to be set out for each of the hazards to ensure all research is undertaken in accordance with the same parameters and enables consistent and defensible outcomes against the RPS policy approach.</i> "

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13 - 6	Tauranga City Council Private Bag 12022 TAURANGA 3143	Policy NH 5B	Support	We support the deletion of sub clause (ii).
13 - 7 & 13 - 19	Tauranga City Council	Policy NH 7B	Support in part	We support the submitters concerns raised in this submission, subject to our original submission on this Policy seeking amendments to the Policy.
13 – 8 & 13 - 20	Tauranga City Council	Appendix K & Testing of Change 2	Support	We support the request for robust testing of the methodologies of Appendix K and potentially the inclusion of additional matters to be assessed.
13 - 9	Tauranga City Council	Appendix K & Table 7	Oppose	We oppose the detailed level of assessment sought to be included in Appendix K / Table 7, subject to our original submissions on Appendix K and Table 7.
13 - 10	Tauranga City Council	Appendix K (AIFR)	Support in part	We support the submitter's concerns raised in this submission, with regard to the use of AIFR in every natural hazard circumstance, subject to our original submissions on Appendix K.
13 - 12	Tauranga City Council	Method 23B	Support	We support the request for the deletion of this Method.
13 – 13, 13 – 14 & 13 - 16	Tauranga City Council	Definitions and Language	Support in part	We support the submitter's requests in this submission, to amend the definitions and language used in Change 2 to provide appropriate certainty to the Policy framework and methodology subject to our original submissions seeking amendments to the definitions.
13 - 17	Tauranga City Council	Section 2.8 / Introduction	Support	We support the submitter's requests in this submission, for additional guidance to be provided with regard to risk reduction options in addition to land management.
13 - 18	Tauranga City Council	Section 32 Assessment & Report	Support	We support the submitter's requests in this submission, with regard to the s32 Assessment and Report.

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14 - 9	Fonterra C/- Environmental Management Services Ltd PO Box 1307 HAMILTON 3240	Policy NH6B	Support in part	We support this submission seeking that the Policy provides direction for Regional and District Councils, subject to our original submission on this Policy.
14 - 8	Fonterra	Policy NH5B	Support in part	We support this submission, subject to our original submission on this Policy seeking amendments.
14 - 11	Fonterra	Policy NH8A	Support in part	We support the proposed amendments to clause (b) sought in this submission, subject to our original submission request to amend the first paragraph of the same Policy
14 - 13	Fonterra	Policy NH13C	Support in part	We support the submitters requests raised in this submission, to amend the first paragraph of the Policy, subject to our original submission seeking amendments to the Policy.
15 - 1	Royal Forest and Bird Protection Society NZ (Bay of Plenty Branches) C/- Postal Agency TE TEKO 3167	Proposed New Policy	Oppose	We oppose the submitter's request seeking a new Policy with regard to giving priority to managing adverse effects of natural hazard mitigation on matters of national importance, as the impacts of natural hazard mitigation will require consideration of wide range of matters within the RPS in order to achieve the integrated management of natural and physical resources as required under s30 of the Act.
15 - 2	Royal Forest and Bird Protection Society NZ (Bay of Plenty Branches)	Appendix L	Oppose	We oppose the submitter's request to incorporate Appendix L into the Policy framework as the Appendix L considerations are already provided for by reference in a number of places in Change 2.

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17 - 4	Whakatane District, Opotiki District and Kawerau District Councils' C/- Private Bag 1002 WHAKATANE 3158	Issue 1	Support	We support the amendments sought in this submission, that aligns the description of consequences to those used in the risk screening matrix.
17 - 5	Whakatane District, Opotiki District and Kawerau District Councils'	Issue 3	Support	We support the amendments sought raised in this submission, that refers to a wide range of natural hazards
17 - 1	Whakatane District, Opotiki District and Kawerau District Councils'	Section 2.8	Support in part	Subject to our original submissions on Section 2.8, we support this submission regarding the consistency of language and terminology used in Change 2.
17 - 3	Whakatane District, Opotiki District and Kawerau District Councils'	Section 2.8	Support in part	Subject to our original submissions on Section 2.8, we support this submission seeking recognition of the management of natural hazards in areas that are developed and have lawfully established activities.
17 - 2	Whakatane District, Opotiki District and Kawerau District Councils'	Section 2.8	Support in part	We support in part the submitter's requests raised in this submission, subject to RPS Appendix E being referenced in any revision to this paragraph.
17 - 7	Whakatane District, Opotiki District and Kawerau District Councils'	Policy NH 3A	Support	We support this submission that enables the staging / prioritisation of hazard susceptibility mapping by Councils'.
17 - 8	Whakatane District, Opotiki District and Kawerau District Councils'	Policy NH 4A	Support	We support this submission seeking that the costs and benefits of the risk assessments required under this Policy and Appendix K are assessed and better understood.

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17 - 9	Whakatane District, Opotiki District and Kawerau District Councils' C/- Private Bag 1002 WHAKATANE 3158	Policy NH 5B	Support in part	Subject to our original submission on this Policy, we support this submission seeking that the costs and benefits of the risk assessments required under this Policy and Appendix K are assessed and better understood and that the Policy does not apply to small sites or on an individual site basis.
17 - 10	Whakatane District, Opotiki District and Kawerau District Councils'	Policy NH 6B / New Policy	Support in part	Subject to our original submission on Policy NH 6B, we support a new provision of a new Policy based upon the principal of providing for risk reducing measures.
17 - 11	Whakatane District, Opotiki District and Kawerau District Councils'	Policy NH 6B	Support in part	Subject to our original submission on Policy NH 6B, we support this submission seeking alignment with ISO 31000.
17 - 12 & 17 - 13	Whakatane District, Opotiki District and Kawerau District Councils'	Policy NH 7B explanation	Oppose	We oppose the relocation of paragraphs from the explanation of Policy 7B to explanation to Policy NH 5B to the degree that it conflicts with our original submission.
17 - 14	Whakatane District, Opotiki District and Kawerau District Councils'	Policy NH 8A	Support in part	a) Subject to our original submission on Policy NH 8A, we support this submission seeking alignment with ISO 31000. b) We support in part the submitter's requests in this submission, to amend paragraph 4 of the explanation subject to RPS Appendix E being referenced in any revision to this paragraph.
17 - 15	Whakatane District, Opotiki District and Kawerau District Councils'	Policy NH 12C	Support in part	We support this submission, subject to our original submission on this Policy.

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17 - 17	Whakatane District, Opotiki District and Kawerau District Councils' C/- Private Bag 1002 WHAKATANE 3158	Method 23 B	Support	We support the request to delete this method due to its un-assessed impacts on property rights and lawfully established activities.
17 - 19	Whakatane District, Opotiki District and Kawerau District Councils'	Section 4.2 – Anticipated Environmental Results and Monitoring Indicators	Support	We support this submission requesting the reformatting of Table 5 to give certainty and the additional indicator about risk reduction measures
17 - 20, 17 - 21, 17 – 22 & 17 - 23,	Whakatane District, Opotiki District and Kawerau District Councils'	Appendix K	Support in part	Subject to our submissions on Appendix K and Table 7, we support these submissions subject to a thorough testing of the Appendix K and Table 7 methodology and the changes proposed through these submissions.
17 - 25	Whakatane District, Opotiki District and Kawerau District Councils'	Appendix M	Support in part	Subject to our submission on Appendix M, we support this submission seeking that the Appendix reference all of the Natural Hazard Policies.
18 - 6	Carrus Corporation Ltd PO Box 345 TAURANGA 3140	Policy NH2B	Support in part	We support the submitter's concerns raised in this submission, subject to our original submission seeking amendments to the Policy
18 - 8	Carrus Corporation Ltd	Policy NH 4A	Support in part	We support the submitter's concerns raised in this submission, subject to our original submission seeking amendments to the Policy
18 - 9	Carrus Corporation Ltd	Policy NH 5B	Support in part	We support the submitter's concerns raised in this submission, subject to our original submission seeking amendments to the Policy

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18 - 11	Carrus Corporation Ltd PO Box 345 TAURANGA 3140	Policy NH 7B	Support in part	We support the submitter's concerns raised in this submission, subject to our original submission seeking amendments to the Policy
18 - 12	Carrus Corporation Ltd	Policy NH 8A	Support in part	We support the submitter's concerns raised in this submission, subject to our original submission seeking amendments to the Policy
18 - 17	Carrus Corporation Ltd	Method 23B	Support in part	We support the submitter's concerns raised in this submission, subject to our original submission seeking this Method be deleted.
18 – 18 & 18 - 19	Carrus Corporation Ltd	Definitions	Support in part	We support these submissions subject to the changes sought in our submissions on the 'Development Site' and 'Lifeline Utility'
18 – 20 to 18 - 26	Carrus Corporation Ltd	Appendix K & Table 7	Support in part	Subject to our submissions on Appendix K and Table 7 and robust testing of the Appendix K methodology, we support the submitters concerns raised in these submissions.
20 - 2	Western Bay of Plenty District Council Private Bag 12803 TAURANGA 3143	Policy NH 6B	Oppose	The amendments sought are opposed as it implies the reduction of high risk to low risk albeit with an option of medium is certain circumstances, which is likely to be impracticable.
20 - 4	Western Bay of Plenty District Council	Appendix K	Support in part	Subject to our original submission on Appendix K, we support the submission request for robust testing of the Appendix K methodology and potentially the inclusion of additional matters to be assessed.

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21 - 6	PowerCo Ltd C/-Burton Planning Consultants Limited PO Box 33-817 Takapuna AUCKLAND 0740	Policy NH 1B	Support	We support the clarification sought in this submission.
21 – 1, 21 – 2 & 21 – 3.	PowerCo Ltd	Section 2.8	Support in part	Subject to our original submissions on Section 2.8, we support these submissions that: <ul style="list-style-type: none"> a) Seek to recognise a range of methods to address natural hazard risks; b) Better reflect the needs of existing development and lifeline utilities; and c) Provide an exception to the natural hazards management response for existing land-use and lifeline utilities.
21 - 4	PowerCo Ltd	Section 2.8.1 / New Issue	Support	We support the new 'Issue' proposed to recognise existing development and the functional and locational need for some development and lifeline utilities to be located in higher risk areas.
21 - 14	PowerCo Ltd	Policy NH 8A	Support in part	Subject to our original submission on this Policy, we support this submission that addresses the assumption that land-use control is the most appropriate and effective risk reduction measure in every situation.
21 - 15	PowerCo Ltd	Policy NH 5B	Support in part	Subject to our original submission on this Policy, we support the exemption sought to clause (b) in this submission, for lifeline utilities.
21 - 16	PowerCo Ltd	Policy NH 6B	Support in part	Subject to our original submission on this Policy, we support this submission seeking a specific cross reference to Policy NH 10B.
21 - 19	PowerCo Ltd	Policy NH10B	Support in part	Subject to our original submission on this Policy, we support the amendments sought by this submission to achieve consistency between the Policy and accompanying explanation.

Submission Number	Submitter Name and Address	Particular parts of original submission	Support/ Oppose	Reasons
22 - 13	Z Energy / BP Oil NZ Ltd Mobil Oil NZ Ltd C/-Burton Planning Consultants Limited PO Box 33-817 Takapuna AUCKLAND 0740	Policy NH 1B	Support	We support the clarification sought in this submission.
22 – 8, 22 – 9 & 22 – 10.	Z Energy / BP Oil NZ Ltd Mobil Oil NZ Ltd	Section 2.8	Support in part	Subject to our original submissions on Section 2.8, we support these submissions that: <ul style="list-style-type: none"> a) Seek to recognise a range of methods to address natural hazard risks; b) Better reflect the needs of existing development and lifeline utilities; and c) Provide an exception to the natural hazards management response for existing land-use and lifeline utilities.
22 - 11	Z Energy / BP Oil NZ Ltd Mobil Oil NZ Ltd	Section 2.8.1 / New Issue	Support	We support the new 'Issue' proposed to recognise existing development and the functional and locational need for some development and lifeline utilities to be located in higher risk areas.
22 - 20	Z Energy / BP Oil NZ Ltd Mobil Oil NZ Ltd	Policy NH 8A	Support in part	Subject to our original submission on this Policy, we support this submission that addresses the assumption that land-use control is the most appropriate and effective risk reduction measure in every situation.
22 - 21	Z Energy / BP Oil NZ Ltd Mobil Oil NZ Ltd	Policy NH 5B	Support in part	Subject to our original submission on this Policy, we support the exemption sought to clause (b) in this submission, for lifeline utilities.
22 - 22	Z Energy / BP Oil NZ Ltd Mobil Oil NZ Ltd	Policy NH 6B	Support in part	Subject to our original submission on this Policy, we support this submission seeking a specific cross reference to Policy NH 10B.
22 - 25	Z Energy / BP Oil NZ Ltd Mobil Oil NZ Ltd	Policy NH10B	Support in part	Subject to our original submission on this Policy, we support the amendments sought by this submission to achieve consistency between the Policy and accompanying explanation.

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24 - 1	Boffa Miskell PO Box 13373 TAURANGA 3141	Policy NH 8A	Support in part	Subject to our original submission on Appendix K, we support this submission seeking to recognise the need to provide certainty with regard to establishing and managing essential natural hazard risk reduction works and other measures.
33 - 4	Director General of Conservation C/ - Hamilton Service Centre Department of Conservation Private bag 3072 HAMILTON 3240	Policy NH 2B	Support in part	We support this submission point to the extent that it is consistent with our original submission on this Policy.
33 - 7	Director General of Conservation	Policy NH 10B	Oppose	We oppose the amendments sought in this submission, as the concerns raised are explained as being exceptions only.
35 - 6	Rotorua District Council Private Bag 3029 Rotorua Mail Centre ROTORUA 3046	Policy NH 5B	Oppose	We oppose the amendments sought in this submission to broaden the application to all resource consents to the extent that our original submission seeks amendments that limit the application of the policy to large scale activities rather than all discretionary and non-complying activities and linkage back to Policy NH 3A and NH 4A.
35 - 7	Rotorua District Council	Policy NH 5B	Oppose	We oppose this submission to the extent that it is not consistent with our original submission on this Policy.
35 - 2	Rotorua District Council	Policy NH 2B	Oppose	We oppose this submission to the extent it is not consistent with our original submission on this Policy.
35 - 4	Rotorua District Council	Policy NH 4A	Support in part	Subject to our original submission on this Policy, we support this submission to the extent that it aligns with our original submission seeking that Appendix K is robustly tested.

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35 - 8	Rotorua District Council Private Bag 3029 Rotorua Mail Centre ROTORUA 3046	Policy NH 6B	Support in part	Subject to our original submission on this Policy and Policy NH 8A, we support the intent of this submission.
35 - 10	Rotorua District Council	Policy NH 8A	Support in part	Subject to our original submission on this Policy, we support the intent of this submission.
35 - 11	Rotorua District Council	Policy NH10B	Oppose	We oppose this submission seeking the broadening of Policy NH 5B (as above) and not requiring District Plans to undertake assessments under Policy NH 4A and in the alternative to change the ranking of risk levels as it does not acknowledge activities with an environmental benefit, and in the explanation the necessary nature of infrastructure and achieving “as low as reasonably practical” natural hazard risk as per our original submission.
35 - 15	Rotorua District Council	Appendix K	Oppose	We oppose any amendment to the Appendix until after robust testing of the methodology has been undertaken and assessed.
35 - 16	Rotorua District Council	Appendix K	Support in part	Subject to our original submission on Appendix K, we support this submission seeking a guidance document be provided with regard to the implementation of Appendix K.